

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL MILLER,

Plaintiff,

v.

O'BRIEN CONSTRUCTION, INC.,
and BRE RC MONROE MP PA, L.P.,

Defendants.

No. 4:19-CV-01611

(Judge Brann)

ORDER

AND NOW, this 21st day of May 2020, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendant O'Brien Construction, Inc.'s Motion to Dismiss Plaintiff's Amended Complaint (Doc. 23) is **DENIED**.
2. Defendant BRE RC Monroe MP PA, L.P.'s Motion to Dismiss Amended Complaint (Doc. 26) is **DENIED**.
3. Defendants shall file and serve responsive pleadings pursuant to FED. R. Civ. P. 12(a)(4)(A) on or before June 4, 2020.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge